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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,244	12/02/2003	John J. Simbal	59121US002	3517

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3M INNOVATIVE PROPERTIES COMPANY
PO BOX 33427
ST. PAUL, MN 55133-3427

EXAMINER

STAHL, MICHAEL J

ART UNIT	PAPER NUMBER
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2874

NOTIFICATION DATE	DELIVERY MODE
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06/19/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

LegalUSDocketing@mmm.com
LegalDocketing@mmm.com

Office Action Summary

Application No.

10/726,244

Applicant(s)

SIMBAL, JOHN J.

Examiner

Mike Stahl

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-28 and 30-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-28 and 30-48 is/are allowed.
- 6) ☒ Claim(s) 49 is/are rejected.
- 7) ☒ Claim(s) 50-53 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/8/07, 5/25/07</u> . | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Applicant's submission filed on May 8, 2007 has been entered.

Requirement for Information

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

Two information disclosure statements citing various references were submitted after the present application had been allowed. Applicant / assignee is required to identify, if applicable, the serial number of any commonly invented or commonly assigned United States nonprovisional patent application in which any of those references were cited and which was pending (not abandoned and not allowed) as of January 18, 2007. The purpose for requiring this information is so that the examiner may review such application(s) to check for relevant references and/or conflicting claims.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

Claim Objections

Claim 52 is objected to because in line 8, “ashperically” should be changed to “aspherically”.

Claim 53 is objected to by dependence from claim 52.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 49 is rejected under 35 U.S.C. 102(b) as being anticipated by Draper (US 4386824).

Draper discloses a reflecting coupler including a body **10** having an aperture extending therethrough from a first side to a second side (the aperture including **12** through to **11**), wherein a reflector axis is defined longitudinally along the center of the aperture between the first and second sides, wherein an interior surface of the aperture is reflective, wherein a first portion **14** of the interior reflective surface conforms to a 2-D surface (plane) formed with respect to a 2-D surface axis (normal to that plane) that is non-coincident with the reflector axis, wherein a second portion **13** of the interior reflective surface conforms to a 3-D surface (paraboloid), wherein the 2-D surface extends at least partially between the first and second sides of the body, and further wherein the first portion is disposed proximate the first side of the body and the second portion is disposed proximate the second side of the body. See fig. 1.

Allowable Subject Matter

Claims 20-28 and 30-48 are allowed. Claims 52-53 will be allowable if claim 52 is corrected as suggested in the objection above. Allowability of claims 20-28, 30-48, and 52-53 was established in a previous Office action.

Claims 50-51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 50 requires an LED placed at the first side of the body, the LED having an emitting surface which is not perpendicular to the reflector axis but through which the 2-D surface axis passes. Draper does not disclose or suggest an LED or the recited orientation of its emitting surface, in combination with all the features of claim 49. Claim 51 depends from claim 50.

Conclusion

This Office action includes a requirement for information under 37 CFR 1.105. A complete reply to this Office action must include a complete reply to the requirement for information. The time period for reply to the requirement coincides with the time period for reply to this Office action.

The additional references listed on the attached PTO-892 form are considered relevant to the subject matter of this application.

Inquiries about this letter may be directed to examiner Stahl at the number below. Inquiries of a general or clerical nature (e.g., a request for a missing form or paper, etc.) should be directed to the technical support staff supervisor at 571-272-1626. Official correspondence

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which is eligible for submission by facsimile and which pertains to this application may be faxed to 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Questions about the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mike Stahl MDS
2874
571-272-2360

June 7, 2007



Rodney Bovernick
Supervisory Patent Examiner
Technology Center 2800